

Kansas Department of Health and Environment  
Amended Regulation

**Article 16. - SURFACE WATER QUALITY STANDARDS**

28-16-58. Definitions. These terms shall have the following meanings: (a) (1) “Administrator” means the administrator of the United States environmental protection agency.

(2) “Application” means all documents required by the division that are necessary for obtaining a permit.

(3) “Department” and “KDHE” mean the Kansas department of health and environment.

(4) “Director” means the director of the division of environment, Kansas department of health and environment.

(5) “Division” means the division of environment, Kansas department of health and environment.

(6) “Draft permit” means a permit that has not been issued as a final action of the agency.

(7) “EPA” means the United States environmental protection agency.

(8) “Kansas implementation procedures: wastewater permitting” means the procedures dated June 17, 2004 and written and used by the department for the development of national pollutant discharge elimination system permit limitations, available upon request from the division of environment.

(9) “Minimum standards of design, construction, and maintenance” means effluent standards, effluent limitations, pretreatment standards, other performance standards, and other standards of design, construction, and maintenance for wastewater control facilities published by the department in 1978 as “minimum standards of design for water pollution control facilities.”

(10) “Municipal system” means a system under the jurisdiction of a city, county, township, district, or other governmental unit.

(11) “National pollutant discharge elimination system” and “NPDES” mean the national system for the issuance of permits under 33 U.S.C. Section 1342 and shall include any state or interstate program that has been approved by the administrator, in whole or in part, pursuant to 33 U.S.C. Section 1342.

(12) “Refuse act application” means an application for a permit under 33 U.S.C. Section 407, commonly known as the refuse act, of 33 U.S.C. Chapter 9, “protection of navigable waters and of harbor and river improvements generally.”

(13) “Regional administrator” means the regional administrator for region VII of the United States environmental protection agency.

(14) “Secretary” means the secretary of the Kansas department of health and environment.

(15) “Water quality standards” means all water quality standards, as specified in K.A.R. 28-16-28b through K.A.R. 28-16-28g, to which a discharge is subject.

(16) “Waters of the state” means all surface and subsurface waters occurring within the border of the state, or forming part of the border between Kansas and one of the adjoining states.

(b) The definitions of the following terms contained in 33 U.S.C. Section 1362, as amended February 4, 1987 and hereby adopted by reference, shall be applicable to these terms as used in K.A.R. 28-16-57 through K.A.R. 28-16-63, unless the context requires otherwise:

(1) “Biological monitoring”;

(2) “effluent limitations”;

(3) “industrial user”;

(4) “municipality”;

(5) “person”;

(6) “state”; and

(7) “toxic pollutant.” (Authorized by K.S.A. 2003 Supp. 65-171d; implementing K.S.A. 65-165, K.S.A. 65-166, and K.S.A. 2003 Supp. 65-171d; effective, E-74-32, June 14, 1974; effective May 1, 1975; amended May 1, 1987; amended Aug. 31, 2001; amended Jan. 28, 2005.)